



language of the documents and seek court approval of the settlement. Because of these factors, the parties need additional time to submit the appropriate paperwork to the Court to obtain approval of the settlement and dismissal of the lawsuit.

## II.

### Argument and Authorities.

To properly settle an FLSA collective action, court approval is required. *Brooklyn Savings Bank v. O'Neil*, 324 U.S. 697, 706 (1945); *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1354 (11<sup>th</sup> Cir. 1982).

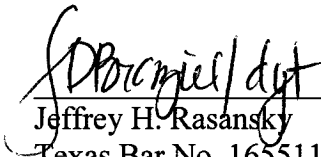
The details of the settlement terms and motion for court approval are complicated and require additional time for counsel to review and discuss with their multiple clients. The parties are not renegotiating settlement terms but are attempting to ensure that the settlement is properly executed. For example, each individual Plaintiff must execute a release agreement and many of them reside out of state. Each will have questions that need to be answered. The parties believe that all twenty Plaintiffs must execute their releases before they can submit a request for approval of the settlement to the Court. Therefore, the parties seek additional time to submit a motion for approval of the settlement and dismissal papers to the Court. The parties respectfully request that the Court grant them until March 30, 2005 to do so.

## III.

### Conclusion.

WHEREFORE, premises considered, the parties respectfully request that the Court grant them until March 31, 2005 to submit a motion seeking approval of the settlement and an Agreed Final Judgment.

Respectfully submitted,

  
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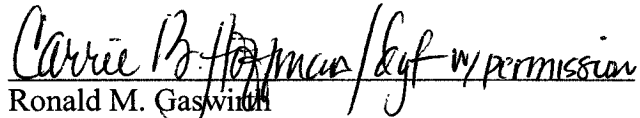
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